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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,727	12/08/2000	Kenneth F. Carpenter	UV-177	2492

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EXAMINER

HÖYE, MICHAEL W

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,727

Applicant(s)

CARPENTER ET AL.

Examiner

Michael W. Hoyer

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 55-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 55-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicants' arguments with respect to claims 55-63 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 55-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legall et al (USPN 6,005,565), in view of Lortz (USPN 6,349,410), both cited by the Examiner.

As to claim 55, note the Legall et al reference which discloses a method for providing a history feature in an interactive television program guide (see col. 2, lines 26-37 and Fig. 3B), where the user can access previously accessed and stored web pages, and can access a variety of external or internal resources including third party databases (also see col. 1, lines 37-43). The claimed wherein the interactive program guide is implemented at least in part on user television equipment and supports at least one supported application running at least in part on the user television equipment is met by an electronic program guide (EPG) that may be generated on the display 322 (Fig. 3A), which may be part of a television and/or processing device 326 and supports the use of various applications including a search engine 306 (see Figs. 1, 3A and 3B;

Art Unit: 2623

col. 3, lines 11-27, and also see col. 2, lines 7-25). The claimed displaying an interactive television program guide comprising a list of resources including at least a program guide database and the Internet is met by Fig. 3B, which shows the display of an EPG and further includes a list of resources 341 including a EPG database and the Internet or WEB. The claimed receiving a first indication to access a history feature is met by a user selecting the "Recent" selection as shown on the right side of the display shown in Fig. 3B or by the user selecting the forward or back buttons as shown in Figs. 2 or 3B in order to display previously accessed resources (see col. 2, lines 26-37 and col. 4, lines 45-48). The claimed receiving a second indication to access the inter-resource history feature is also met by the user selecting any one of the indications as described above for the claimed first indication. The claimed providing a history list of a plurality of resources that includes a first resource in response to the first indication to access the history feature, wherein the first resource is a program guide display having data from the program guide database, and wherein the first resource is included in the history list because it was accessed by a user using the user television equipment; and providing the history list of a plurality of resources that includes a second resource in response to the second indication to access the history feature, wherein the second resource is a web site from the internet, and wherein the second resource is included in the history list because it was accessed by a user using the user television equipment is not explicitly disclosed by the Legall reference. However, the Lortz reference specifically teaches a set top device 10 (see Figs. 1 and 3), which integrates the systems of interactive broadcast television and web browsing. More specifically, Lortz discloses a remote control 24 is included in the system to communicate user selections to the set-top device, where the remote control includes various special user input

Art Unit: 2623

buttons such as forward 26, backward 28, Internet 30, and TV 32 (col. 3, lines 22-27).

Furthermore, Lortz teaches that the web content may be navigated by using by using the forward button 26 to go to other links. The backward button 28 may be used to go back to a pervious web page in a web page history list. The forward and backward buttons may be used to switch between TV content or Internet content, and the buttons are also used to traverse the web page history list (see col. 4, lines 1-11 and 33-51). Although, Lortz does not explicitly disclose a history list of a resource from the program guide data base, it would have been obvious to have added this additional functionality with the program guide of Legall et al as described above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the method for providing a history feature in an interactive television program guide of Legall with the additional features of providing a history list of the previous resources accessed by the user for the advantage of allowing a user to quickly access previously viewed resources through a organized history list. One of ordinary skill in the art would have been led to make such a modification since history lists are well known an commonly used in Internet navigation tools and interactive program guides.

As to claim 56, the claimed receiving an indication of a particular resource of the history list; and providing the resource in response to the indication is met by the forward and backward buttons of the Lortz reference as described above in claim 55.

As to claim 57, the claimed “receiving the first and second indications comprises receiving the indications from a supported application” is met by receiving the indication from the power search application of Legall as shown in Fig. 3B and as described in col. 2, lines 60-66), and the claimed “or a user input device” is met by user input device 115 as described in col.

Art Unit: 2623

2, lines 26-28 and 64-66 of Legall. In addition to the Lortz reference, as combined with Legall above in claim 55, also discloses the claimed “supported application” as met by a browser program executing on the set-top box, and the claimed “user input device” is met by the remote control 24 (see col. 3, lines 22-27; col. 4, lines 1-16 and 33-51).

As to claims 58-60, the claims are rejected based on similar grounds as the rejection of claims 55-57 respectively.

As to claims 61-63, the claims are rejected based on similar grounds as the rejection of claims 55-57 respectively.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2623

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoye whose telephone number is **571-272-7346**.

The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at **571-272-7353**.

Any response to this action should be mailed to:

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

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Or faxed to: 571-273-8300

Hand-delivered responses should be brought to the Customer Service Window at the address listed above.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **571-272-2600**.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Michael W. Hoyer
November 9, 2006



JOHN MILLER
SUPERVISORY PATENT EXAMINER
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